

# **Exhibit 42**



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1 called for examination by Counsel for the  
2 Plaintiffs, pursuant to Notice of Deposition, in  
3 the Mexican American Legal Defense and Education  
4 Fund, located at 1016 16th Street, NW,  
5 Washington, D.C., when were present on behalf of  
6 the respective parties:

7 APPEARANCES:

8 On Behalf of the Plaintiffs, State of Texas, et  
9 al.:

10 ADAM ARTHUR BIGGS, ESQ.  
11 State of Texas  
12 Office of the Attorney General  
13 P.O. Box 12548  
14 Austin, TX 78711-2548  
15 512-936-0750  
16 512-936-0545 fax  
17 adam.biggs@oag.texas.gov

18 On Behalf of the Defendants, United States of  
19 America, et al.:

20 AARON S. GOLDSMITH, ESQ.  
21 U.S. Department of Justice  
22 Civil Division  
23 Office of Immigration Litigation  
24 Liberty Square Building  
25 450 5th Street, NW  
Washington, D.C. 20530  
202-532-4107  
aaron.goldsmith@usdoj.gov

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1 APPEARANCES: (CONT.)

2 On Behalf of the Defendant-Intervenors, Karla  
3 Perez, et al.:

4 ALEJANDRA AVILA, ESQ.  
5 Mexican American Legal Defense and Education  
6 Fund (MALDEF)  
7 110 Broadway  
8 Suite 204  
9 San Antonio, TX 78205  
10 210-224-5476  
11 210-224-5382 fax  
12 aavila@maldef.org

13 On Behalf of the Defendant-Intervenors, State of  
14 New Jersey, et al.:

15 KENNETH S. LEVINE, ESQ.  
16 State of New Jersey  
17 Department of Law and Public Safety  
18 Division of Law  
19 124 Halsey Street  
20 P.O. Box 45029  
21 Newark, NJ 07101-5029  
22 973-648-2881  
23 973-648-3956 fax  
24 kenneth.levine@law.njoag.gov  
25

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1 Q And --

2 A I maybe have tried to contact them but  
3 I don't recall.

4 Q Were you asked to provide that email  
5 to your Attorney?

6 A My Attorney did not ask me for that  
7 email.

8 Q Do you still have that email?

9 A Probably. I think so.

10 Q Do you have any plans to delete that  
11 email anytime soon?

12 A I'm not planning to do so.

13 Q All right. To the extent that this  
14 minor incentive exists, is the introductory  
15 phrase in the next sentence, would you agree that  
16 this incentive may exist?

17 A The incentive may exist for, in some  
18 cases.

19 Q Do you claim it will be countered by  
20 other employment compliance barriers that firms  
21 may face in hiring DACA recipients?

22 What are those other employment  
23 compliance barriers?

24 A They're described in the citation that  
25 I described, which is to say that there are

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1 C E R T I F I C A T E

2 This is to certify that the foregoing transcript

3 Deposition of: Dr. Leighton Ku

4 In the matter of: State of Texas v USA

5 Before: US District Court for Southern

6 District of Texas

7 Date: 06-27-18

8 Place: Washington, DC

9 were duly recorded and accurately transcribed

10 under my direction; further, that said transcript

11 is a true and accurate record of the proceedings;

12 and that I am neither counsel for, related to,

13 nor employed by any of the parties to this action

14 in which this deposition was taken; and further

15 that I am not a relative nor an employee of any

16 of the parties nor counsel employed by the

17 parties, and I am not financially or otherwise

18 interested in the outcome of the action.

19 *Neal R Gross*

20 -----

21 Neal Gross

22 Court Reporter

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